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8 9 0	BEFORE THE BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA	
1	In the Matter of the Accusation Against:	Case No. VN-2008-2861
2	BEATRIZ LIZET CARRILLO	
3 4	504 J Street Mendota, CA 93640 Vocational Nurse License No. VN 217557	ACCUSATION
5	Respondent.	
6	Complainant alleges:	
7	<u>PARTIES</u>	
3	1. Teresa Bello-Jones, J.D., M.S.N., R.N. ("Complainant") brings this Accusation solely	
9	in her official capacity as the Executive Officer of the Board of Vocational Nursing and	
0	Psychiatric Technicians ("Board"), Department of Consumer Affairs.	
1	Vocational Nurse License	
2	2. On or about October 28, 2005, the Board issued Vocational Nurse License Number	
3	VN 217557 to Beatriz Lizet Carrillo ("Respondent"). The vocational nurse license was in full	
4	force and effect at all times relevant to the charges brought herein and will expire on November	
5	30, 2011, unless renewed.	
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STATUTORY PROVISIONS

- 3. Section 2875 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline the holder of a vocational nurse license for any reason provided in Article 3 (commencing with Code section 2875) of the Vocational Nursing Practice Act.
- 4. Code section 118, subdivision (b) provides, in pertinent part, that the expiration of a license shall not deprive the Board jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated. Under Code section 2892.1, the Board may renew an expired license at any time within four years after the expiration.
 - 5. Code section 2878 states, in pertinent part:

The Board may suspend or revoke a license issued under this chapter [the Vocational Nursing Practice Act (Bus. & Prof. Code, 2840, et seq.)] for any of the following:

- (f) Conviction of a crime substantially related to the qualifications, functions, and duties of a licensed vocational nurse, in which event the record of the conviction shall be conclusive evidence of the conviction.
- 6. Code section 2878.6 states:

A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge substantially related to the qualifications, functions and duties of a licensed vocational nurse is deemed to be a conviction within the meaning of this article. The board may order the license suspended or revoked, or may decline to issue a license, when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code allowing such person to withdraw his plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information or indictment.

COST RECOVERY

7. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

CAUSE FOR DISCIPLINE

(Criminal Convictions)

- 8. Respondent is subject to discipline pursuant to Code section 2878, subdivision (f), in that Respondent has been convicted of the following crimes that are substantially related to the qualifications, functions, and duties of a licensed vocational nurse:
- a. On December 23, 2010, in the Superior Court, County of Fresno, in the matter entitled *People v. Beatriz Lizet Carrillo* (2010), Case No. M10918939, Respondent was convicted following her plea of no contest to a violation of Penal Code section 166, subdivision (c)(1) (contempt of court by willful disobedience of a protective order or stay away court order), a misdemeanor. The circumstances of the crime are that on or about August 1, 2010, Respondent went to the protected person's place of work and disturbed the peace by harassing the protected person and throwing items out of the protected person's car.
- b. On August 3, 2010, in the Superior Court, County of Fresno, in the matter entitled *People v. Beatriz Lizet Carrillo* (2008), Case No. M10300630, Respondent was convicted following her plea of no contest to a violation of Vehicle Code section 14601.1, subdivision (a) (driving when privilege suspended or revoked), a misdemeanor. The circumstances of the crime are that on or about May 17, 2010, Respondent drove a motor vehicle while her driving privileges were suspended.
- c. On September 30, 2008, in the Superior Court, County of Fresno, in the matter entitled *People v. Beatriz Lizet Carrillo* (2008), Case No. F08902119, Respondent was convicted following her plea of no contest to a violation of Penal Code section 273.5, subdivision (a) (corporal injury to spouse/cohabitant/child's parent), a misdemeanor. The circumstances of the crime are that on or about March 27, 2008, Respondent was involved in a physical altercation with a cohabitant/former spouse. Respondent threw plates at the victim, causing injury in the form of a cut and some bruising to the victim's left side.
- d. On April 28, 2009, in the Superior Court, County of Fresno, in the matter entitled *People v. Beatriz Lizet Carrillo* (2005), Case No. T05000965-4, Respondent was convicted following her plea of no contest on March 28, 2006, to a violation of Vehicle Code section 20002,

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1	subdivision (a) (hit and run driving), a misdemeanor. The circumstances of the crime are that on	
2	or about August 20, 2005, Respondent was involved in a traffic collision. Following the	
3	collision, Respondent fled the scene on foot and was found hiding in the bushes a short distance	
4	from the crash scene. Respondent was subsequently arrested.	
5	PRAYER	
6	WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,	
7	and that following the hearing, the Board of Vocational Nursing and Psychiatric Technicians	
8	issue a decision:	
9	1. Revoking or suspending Vocational Nurse License Number VN 217557, issued to	
0	Beatriz Lizet Carrillo;	
11	2. Ordering Beatriz Lizet Carrillo to pay the Board of Vocational Nursing and	
12	Psychiatric Technicians the reasonable costs of the investigation and enforcement of this case,	
13	pursuant to Business and Professions Code section 125.3; and,	
14	3. Taking such other and further action as deemed necessary and proper.	
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17	DATED: April 8, 2011 Mague Dinesto	
18	TERESA BELLO-JONES, J.D., M.S.N., R.N. Executive Officer	
19	Board of Vocational Nursing and Psychiatric Technicians Department of Consumer Affairs	
20	State of California Complainant	
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